



DEP&REF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re PATENT APPLICATION OF

Confirmation No.: 7234

Bruce HOFF

Group Art Unit: 1631

Appln. No.: 10/091,660

Examiner: Mary K. Zeman

Filed: March 5, 2002

Title: METHOD AND APPARATUS FOR GROUPING PROTEOMIC AND GENOMIC SAMPLES

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 033975 on December 7, 2004 for the above-identified application.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

The amount of refund requested is \$765 for Four Month Extension of Time.

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicant is a small entity and the fees charged by the USPTO were at the large entity rate of \$1,530. Copies of the following documents are attached:

- 1) the Deposit Account Statement showing erroneous \$1,530 charge;
- 2) the Extension of Time as filed December 6, 2004 indicating the small entity amount of \$765; and
- 3) the March 3, 2002 application transmittal form indicating small entity status.

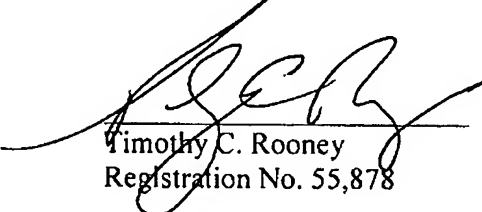
IV. MANNER OF REFUND

Please make refund by crediting Account No. 033975.

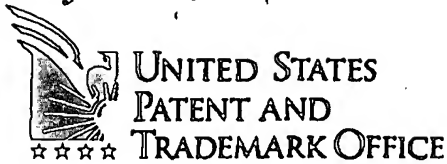
Dated: September 13, 2006

Respectfully submitted,

Customer Number 00909


Timothy C. Rooney
Registration No. 55,878

Pillsbury Winthrop Shaw Pittman LLP
1650 Tysons Blvd.
McLean, VA 22102
(703) 770-7939



COPY

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

PILLSBURY WINTHROP LLP

FINA

1600 TYSONS BOULEVARD

MCLEAN VA 22102

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

Account No.	033975
Date	12-30-04
Page	-13----

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
12	6	04	514	10036371	P284960	2501	685.00	190694.00
12	6	04	515	10036371	P284960	1504	300.00	190394.00
12	6	04	516	10204322	P292660	1501	1370.00	189024.00
12	6	04	517	10203902	P 284444	1501	1370.00	187654.00
12	6	04	548	10613094	P304773	1501	1370.00	186284.00
12	6	04	549	10613094	P304773	1504	300.00	185984.00
12	6	04	550	10613094	P304773	8001	9.00	185975.00
12	6	04	605	6279384		8021	40.00	185935.00
12	6	04	876	78527198	99903/9800272	7001	335.00	185600.00
12	6	04	1364	78527408	8822/313550	7001	335.00	185265.00
12	7	04	1	E-REPLENISHMENT		9203	-27250.00	212515.00
12	7	04	2	E-REPLENISHMENT		9203	-40963.00	253478.00
12	7	04	3	10069061		1801	790.00	252688.00
12	7	04	5	09744015	PM276617	1201	1056.00	251632.00
12	7	04	6	09744015	PM276617	1251	110.00	251522.00
12	7	04	8	11003197	AIC-102.2 (C)	2001	395.00	251127.00
12	7	04	9	11003197	AIC-102.2 (C)	2201	748.00	250379.00
12	7	04	16	10091660	BD1002	1254	1530.00	248849.00
12	7	04	36	10091360	9952-042-999	1806	180.00	248669.00
12	7	04	48	10516266	020826-0313799	1613	950.00	247719.00
12	7	04	49	10516266	020826-0313799	1614	88.00	247631.00
12	7	04	76	11003426	008312-0313906	1001	790.00	246841.00
12	7	04	102	10951034	008312-0312361	1001	790.00	246051.00
12	7	04	103	10951034	008312-0312361	1051	130.00	245921.00
12	7	04	104	10947404	008313-0312258	1001	790.00	245131.00
12	7	04	105	10947404	008313-0312258	1051	130.00	245001.00
12	7	04	106	10947404	008313-0312258	1201	176.00	244825.00
12	7	04	125	60632938	020826-0313953	1005	160.00	244665.00
12	7	04	126	09580904	23542-110	1801	790.00	243875.00
12	7	04	127	09580904	23542-110	1201	176.00	243699.00
12	7	04	128	10945262	008312-0312153	1001	790.00	242909.00
12	7	04	128	09580904	23542-110	1202	72.00	242837.00
12	7	04	129	10945262	008312-0312153	1051	130.00	242707.00
12	7	04	129	09580904	23542-110	1252	430.00	242277.00
12	7	04	130	10943208	008312-0312008	1001	790.00	241487.00
12	7	04	131	10943208	008312-0312008	1051	130.00	241357.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE



03-07-02

COPY

Please type a plus sign (+) inside this box → □

Approved for use through 10/31/2002: OMB 0851-0052
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	BD1002
First Inventor	Hoff
Title	Method and Apparatus for Grouping Proteomic and Genomic Samples
Express Mail Label No.	ET574107847US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Select an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 31]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 1. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS) PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____ / _____

Prior application information:

Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label _____ or ☒ Correspondence address below

Name	Tope-McKay & Associates				
Address	23852 Pacific Coast Highway #311				
City	Malibu	State	CA	Zip Code	90265
Country	USA	Telephone	(310) 589-8158	Fax	(310) 9432736

Name (Print/Type)	Cary R. Tope-McKay	Registration No. (Attorney/Agent)	41,350
Signature		Date	March 3, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



COPY

FILE 1631

PTO/SB/22 (10-94)

Approved for use through 07/31/2008. OMB 0654-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (fees effective on or after October 1, 2004)		Docket Number (Optional) 016472-0311714	
Application Number 10/091,660		Filed March 5, 2002	
For METHOD AND APPARATUS FOR GROUPING PROTEOMIC AND GENOMIC SAMPLES			
Art Unit 1631		Examiner Marianne P. Allen	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and appropriate non-small-entity fee are as follows (check time period desired):			
	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110	\$55	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$430	\$215	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$980	\$490	\$ _____
<input checked="" type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1530	\$765	\$ 1,530.00
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2080	\$1040	\$ _____
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is \$ <u>765.00</u> .			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to change fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>033975</u> .			
I have enclosed a duplicate copy of this sheet.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>43,195</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
<u>December 6, 2004</u> Date		_____ Signature	
<u>(703) 905.2120</u> Telephone Number		<u>Rick A. Toering</u> Reg. No. 43,195 Typed or printed name	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

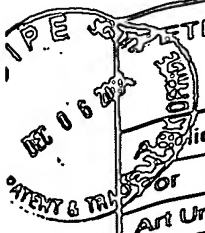
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/07/2004 NROCHAI 00000010 033975 10091660
01 FC1254 1530.00 DR

1F12 1451

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2003. OMB 0339-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2006
(fees effective on or after October 1, 2004)

Application Number **10/091,660** Filed **March 5, 2002**

METHOD AND APPARATUS FOR GROUPING PROTEOMIC AND GENOMIC SAMPLES

Art Unit **1631** Examiner **Marianne P. Allen**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.
The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110	\$55	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$430	\$215	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$980	\$490	\$ _____
<input checked="" type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1530	\$765	\$ <u>1,530.00</u>
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2080	\$1040	\$ _____

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 765.00.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to change fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 033975.
- I have enclosed a duplicate copy of this sheet.

- I am the ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- ☒ attorney or agent of record. Registration Number 43,195
- ☐ attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 6, 2004
Date

(703) 905.2120
Telephone Number

[Signature]
Signature

Rick A. Toering
Reg. No. 43,195
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 09/21/2006 ZIUHAR1
12/07/2004 NROCHA1 00000010 033975 10091660
01 FC:1254 1530.00 CR
09/21/2006 ZIUHAR1 00000006 033975 10091660
01 FC:2254 765.00 DA

12/07/2004 NROCHA1 00000010 033975 10091660
01 FC:1254 1530.00 DA